



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 25, 2008

Stan Michals
c/o SD/GFP
4725 Jackson Boulevard
Rapid City, SD 57702-4804

Dear Stan:

Please find enclosed a copy of Powertech (USA) Inc. exploration notice of intent for Fall River and Custer Counties. This document is being sent to you for review as required under SDCL 45-6D-13 below:

SDCL 45-6D-13. Notice to Game, Fish and Parks – Restrictions concerning riparian habitat. The Board of Minerals and the Environment shall notify the Department of Game, Fish and Parks of the area proposed for the uranium exploration operation and any modifications proposed in a renewal application. The board shall include any restrictions concerning riparian habitat or threatened or endangered species as notified, in writing, by that department within the terms and conditions of an approved or renewed permit. The operator shall abide by any reasonable restrictions, subject to review and approval by the board at the request of the operator, concerning riparian habitat as notified by that department. Restrictions concerning riparian habitat for exploration operation activities are limited to such habitat located within one hundred feet of each stream bank. Further, restrictions concerning riparian habitat may include temporarily diverting the stream flow, bank restoration, and revegetation of the riparian habitat area. Revegetation of the riparian habitat area shall be agreed upon by both the Department of Game, Fish and Parks and the Department of Agriculture before notifying the operator.

Please be aware that there are several documents within this application that are marked confidential and are protected under SDCL 45-6D-15 below:

SDCL 45-6D-15: Confidential information in application protected – Violation as misdemeanor. Information provided to the Board of Minerals and Environment in an application for an exploration operation permit relating to the location of test holes and marked confidential by the operator shall be protected as confidential information by the board and not be a matter of public record in the absence of a written release from the operator. A person who knowingly violates the provisions of this section is guilty of a Class 2 misdemeanor.

This document does not contain surface or mineral owner information (lease agreements, mining claim documentation, etc.). If you feel this information would be needed to conduct

your review of the application please let us know and we will provide this information to you.

Within 30 days please forward any conditions or restrictions you have regarding this operation to me.

Should you have any questions regarding this notice of intent or the inspection, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Roberta Fivecoate". The signature is fluid and elegant, with the first name and last name clearly distinguishable.

Roberta Fivecoate
Natural Resources Project Engineer
Minerals and Mining Program
Phone: (605) 773-4201
Email: Roberta.Fivecoate@state.sd.us

Enclosure: Exploration Notice of Intent



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September 25, 2008

Michael Fosha
Department of Tourism and State Development
Archaeological Research Center
2425 E. St. Charles Street
Rapid City, SD 57702-8198

Dear Michael:

Please find enclosed a copy of Powertech (USA) Inc. exploration notice of intent for Fall River and Custer Counties. This document is being sent to you for review as required under SDCL 45-6D-14 below:

SDCL 45-6D-14. Notice to state archeologist – Restrictions concerning site disturbances. The Board of Minerals and Environment shall notify the state archeologist of the Department of [Tourism and State Development] of the area proposed for the uranium exploration operation and any modification proposed in a renewal application. The board shall include any restrictions concerning site disturbances as notified, in writing, by the state archeologist within the terms and conditions of an approved or renewed permit.

Please be aware that there are several documents within this application that are marked confidential and are protected under SDCL 45-6D-15 below:

SDCL 45-6D-15: Confidential information in application protected – Violation as misdemeanor. Information provided to the Board of Minerals and Environment in an application for an exploration operation permit relating to the location of test holes and marked confidential by the operator shall be protected as confidential information by the board and not be a matter of public record in the absence of a written release from the operator. A person who knowingly violates the provisions of this section is guilty of a Class 2 misdemeanor.

This document does not contain surface or mineral owner information (lease agreements, mining claim documentation, etc.). If you feel this information would be needed to conduct your review of the application please let us know and we will provide this information to you.

Within 30 days please forward any conditions or restrictions you have regarding this operation to me.

Should you have any questions regarding this notice of intent or the inspection, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Roberta Fivecoate", with a stylized, flowing script.

Roberta Fivecoate
Natural Resources Project Engineer
Minerals and Mining Program
Phone: (605) 773-4201
Email: Roberta.Fivecoate@state.sd.us

Enclosure: Exploration Notice of Intent